

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

FAST MEMORY ERASE, LLC

*Plaintiff,*

VS.

SPANSION, INC., SPANSION LLC,  
INTEL CORPORATION,  
NUMONYX B.V.,  
NUMONYX, INC.,  
STMICROELECTRONICS NV,  
STMICROELECTRONICS, INC.,  
NOKIA CORPORATION,  
NOKIA INC.,  
SONY ERICSSON MOBILE  
COMMUNICATIONS AB,  
SONY ERICSSON MOBILE  
COMMUNICATIONS (USA), INC.  
MOTOROLA, INC., and  
APPLE, INC.

*Defendants.*

) Misc. Civil Case No. 3:09-mc-80049 (SI)  
)  
) Court of Original Jurisdiction  
) US Dist. Ct.  
) N. D. Tex., Dallas Div.  
) CIVIL CASE NO. 3-08cv0977M

**STIPULATION AND [PROPOSED] ORDER RE-SETTING TIME AND PLACE FOR  
THE DEPOSITION OF PERUMAL RATNAM**

WHEREAS, on February 12, 2009, Defendants Intel Corporation, Numonyx B.V. and Numonyx, Inc. duly served a subpoena on Third Party Perumal Ratnam, the sole inventor of the two patents at issue in the above captioned matter, to appear for deposition on February 25, 2009 in Menlo Park, California.

WHEREAS, on March 16, 2009, Third Party Perumal Ratnam moved to modify the subpoena to reschedule the date of Mr. Ratnam's deposition.

WHEREAS, on April 24, 2009, Defendants Intel Corporation, Numonyx B.V. and Numonyx, Inc. (“Defendants”), and Third Party Perumal Ratnam jointly filed a Stipulation and [Proposed] Order Setting Time and Place for Deposition of Perumal Ratnam, setting the deposition of Mr. Ratnam to be held on June 23-24, 2009 at the Offices of Shore, Chan, Bragalone, LLP, located at 901 Main Street, Suite 3300, Dallas, Texas 75202.

WHEREAS, on June 22, 2009, this Court entered the joint stipulation as an order (“Order”) requiring Mr. Ratnam to appear for deposing on June 23-24, 2009 as set forth above, whereupon the pending motion to modify Defendants’ subpoena was put off calendar.

WHEREAS, Third Party Perumal Ratnam informed Defendants that he is not capable of appearing for his deposition on June 23-24, 2009 as required by the Court’s Order due to personal reasons and has agreed to appear for deposition on July 23-24, 2009 at the Offices of Shore, Chan, Bragalone, LLP, located at 901 Main Street, Suite 3300, Dallas, Texas 75202.

WHEREAS, On June 23, 2009, Defendants, Plaintiff Fast Memory Erase, LLC and Mr. Ratnam jointly filed a Stipulation and [Proposed] Order Re-Setting Time and Place for Deposition of Perumal Ratnam, setting the deposition of Mr. Ratnam to be held on July 23-24 at the Offices of Shore, Chan, Bragalone, LLP, located at 901 Main Street, Suite 3300, Dallas, Texas 75202.

WHEREAS, on June 23, 2009, this Court entered the joint stipulation re-setting Mr. Ratnam’s deposition as an order (“Second Order”) requiring Mr. Ratnam to appear for deposing on July 23-24, 2009 as set forth above.

WHEREAS, additional Defendants Spansion, Inc., Spansion, LLC, Nokia Corp. and Nokia, Inc. re-entered this action after they had been severed from the instant action and/or the instant action had been stayed as to those defendants, and those defendants are not available to

participate in the deposition of Mr. Ratnam on July 23-24, the parties met and conferred and agreed to hold the deposition of Mr. Ratnam on August 11-12 at the Offices of Shore, Chan, Bragalone, LLP, located at 901 Main Street, Suite 3300, Dallas, Texas 75202.

IT IS HEREBY STIPULATED by Perumal Ratnam, Intel Corporation, Numonyx B.V., and Numonyx, Inc. that the third-party deposition subpoena served upon Perumal Ratnam in the above-captioned action shall be modified to provide that Perumal Ratnam will appear for his deposition on August 11 and 12, 2009, at the offices of Shore Chan Bragalone, LLP, located at 901 Main Street, Suite 3300, Dallas, Texas 75206, and that Perumal Ratnam agrees to appear for his deposition at such date and place.

PURSUANT TO STIPULATION, IT IS SO ORDERED

\_\_\_\_\_  
Date



\_\_\_\_\_  
Hon. Susan Illston  
United States District Court Judge

Dated: July 21, 2009

Respectfully submitted,

By: /s/ Donald E. Daybell

Donald E. Daybell  
ORRICK, HERRINGTON & SUTCLIFFE LLP  
4 Park Plaza, Suite 1600  
Irvine, California 92614  
Telephone: 949.567.6700  
Facsimile: 949.567.6710

Attorneys for Defendants Intel Corporation,  
Numonyx B.V., and Numonyx, Inc.

By:       /s/ Charles M. Kagay      

Charles M. Kagay  
288 Market Street, Suite 900  
San Francisco, CA 94111  
Telephone: 415.956.5959  
Facsimile: 415.362.1431  
SPIEGEL LIAO & KAGAY, LLP

By:       /s/ Patrick J. Conroy      

Jeffrey R. Bragalone (TX Bar No. 2855775)  
E-mail: [jbragalone@shorechan.com](mailto:jbragalone@shorechan.com)  
Patrick J. Conroy (TX Bar No. 24012448)  
E-mail: [pconroy@shorechan.com](mailto:pconroy@shorechan.com)  
Winston O. Huff (IL Bar No. 6275158)  
E-mail: [whuff@shorechan.com](mailto:whuff@shorechan.com)  
SHORE CHAN BRAGALONE LLP  
325 North Saint Paul Street, Suite 4450  
Dallas, Texas 75201  
Telephone: 214.593.9110  
Facsimile: 214.593.9111  
(to apply to appear Pro Hac Vice)

Attorneys for Plaintiffs FAST MEMORY ERASE,  
LLC and Third Party Perumal Ratnam

**Attestation**

I hereby attest that I have been authorized to affix the electronic signatures of Charles M. Kagay and Patrick J. Conroy, by Mr. Conroy, who is counsel for plaintiff FME and third party Perumal Ratnam.

/s/ Donald E. Daybell

Donald E. Daybell

**Certificate of Service**

The above-titled document will be served on all parties who have been deemed to have consented to service via the Northern District of California's ECF system, by that system. All other parties will be served via email, pursuant to agreement of the parties.

/s/ Donald E. Daybell

Donald E. Daybell